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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
February 2005 Grand Jury

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ANTHONY PELLICANO, )  
MARK ARNESON, )  
RAYFORD EARL TURNER, )  
KEVIN KACHIKIAN, )  
ROBERT PFEIFER, )  
ABNER NICHERIE, )  
DANIEL NICHERIE, and )  
TERRY CHRISTENSEN, )  
 )  
Defendants. )

CR No. 05-1046(C)-RMT  
T H I R D  
S U P E R S E D I N G  
I N D I C T M E N T  
[18 U.S.C. § 1962 (c):  
Racketeer Influenced and  
Corrupt Organizations (RICO);  
18 U.S.C. § 1962 (d): RICO  
Conspiracy; 18 U.S.C. §§ 1343,  
1346: Honest Services Wire  
Fraud; 18 U.S.C.  
§ 1030 (a) (2) (B), (c) (2) (B) (i):  
Unauthorized Computer Access  
of United States Agency  
Information; 18 U.S.C.  
§ 1028 (a) (7): Identity Theft;  
18 U.S.C. § 1030 (a) (4):  
Computer Fraud; 18 U.S.C.  
§ 371: Conspiracy; 18 U.S.C.  
§ 2511 (1) (a), (d): Interception  
of Wire Communications; 18  
U.S.C. § 2512 (1) (b):  
Possession of Wiretapping  
Device; 18 U.S.C.  
§ 1001 (a) (2): False  
Statements; 18 U.S.C.  
§ 1512 (b) (3): Witness  
Tampering; 18 U.S.C.  
§ 1512 (c) (1): Destruction of  
Evidence; 18 U.S.C. § 2:  
Aiding and Abetting and  
Causing an Act to Be Done; 18  
U.S.C. § 1963: RICO Forfeiture]

1 The Grand Jury charges:

2 COUNT ONE

3 [18 U.S.C. § 1962(c)]

4 [Racketeering]

5 [Defendants PELLICANO, ARNESON, and TURNER]

6 I. INTRODUCTION

7 At all times relevant to this Third Superseding Indictment  
8 (this "Indictment"):

9 A. Defendants and Their Associates

10 1. Defendant ANTHONY PELLICANO was a private investigator  
11 doing business under the names of Pellicano Investigative Agency,  
12 Ltd., Anthony J. Pellicano Negotiations, Forensic Audio Lab, and  
13 Syllogistic Research Group, all located at 9200 Sunset Boulevard,  
14 Suite 322, Los Angeles, California 90210. Defendant PELLICANO  
15 was licensed as a private investigator from in or around 1983  
16 until on or about February 2, 2004, by the California Department  
17 of Consumer Affairs' Bureau of Security and Investigative  
18 Services.

19 2. Defendant MARK ARNESON was a public official and sworn  
20 law enforcement officer employed by the City of Los Angeles,  
21 California, as an officer of the Los Angeles Police Department  
22 ("LAPD"). On or about June 10, 1974, defendant ARNESON took his  
23 oath of office as an LAPD officer, swearing that he would well  
24 and faithfully discharge the duties of his office. After taking  
25 this oath, defendant ARNESON became an LAPD police officer in  
26 June 1974, became an LAPD Detective in September 1984, and became  
27 an LAPD Sergeant in April 1996. As a public official and sworn  
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1 law enforcement officer, defendant ARNESON owed a duty of honest  
2 services to the LAPD and the citizens he was sworn to serve.

3 3. Defendant RAYFORD EARL TURNER was, prior to his  
4 retirement on or about December 15, 2001, employed by SBC and its  
5 predecessor company, Pacific Bell (collectively "SBC") as a field  
6 technician.

7 4. Craig Stevens was a public official and sworn law  
8 enforcement officer employed by the City of Beverly Hills,  
9 California, as an officer of the Beverly Hills Police Department  
10 ("BHPD"). As a public official and sworn law enforcement  
11 officer, Stevens owed a duty of honest services to the BHPD and  
12 the citizens he was sworn to serve.

13 5. Teresa Wright was, prior to her termination on or about  
14 November 21, 2003, employed by SBC as a sales support manager.

15 B. THE LAPD AND BHPD COMPUTER SYSTEMS

16 6. From on or about June 10, 1974, through on or about  
17 October 10, 2003, as a result of his position as an LAPD officer,  
18 defendant ARNESON was authorized to access LAPD's computer system  
19 in the Los Angeles Pacific Division offices and elsewhere to  
20 obtain criminal history and other law enforcement information  
21 from computer systems and databases maintained exclusively for  
22 law enforcement uses, including the National Crime Information  
23 Center ("NCIC") and the California Department of Motor Vehicles  
24 ("DMV"). Defendant ARNESON was authorized to access these law  
25 enforcement computer systems and databases only for official LAPD  
26 purposes related to his official investigative duties.

27 7. As part of his LAPD oath of office, defendant ARNESON  
28 swore that he would adhere to the standards of conduct set forth

1 in the LAPD Manual. The LAPD Manual prohibits an LAPD officer  
2 from making unauthorized use of information obtained through  
3 employment with the LAPD, disclosing law-enforcement information  
4 except as required in the performance of official duties, using  
5 LAPD computer systems and information obtained through them for  
6 non-official purposes, releasing criminal history information to  
7 individuals lacking legal authority to have access to such  
8 information, and/or engaging in outside employment without prior  
9 approval.

10 8. From on or about May 5, 1982, through on or about  
11 January 6, 2006, as a result of his position as a BHPD officer,  
12 Craig Stevens was authorized to access BHPD's computer system in  
13 the BHPD offices and elsewhere to obtain criminal history and  
14 other law enforcement information from computer systems and  
15 databases maintained exclusively for law enforcement uses,  
16 including NCIC and DMV. Craig Stevens was authorized to access  
17 these law enforcement computer systems and databases only for  
18 official BHPD purposes related to his official investigative  
19 duties.

20 9. NCIC is accessed remotely by law enforcement computer  
21 terminals located throughout the United States and is therefore  
22 used in interstate communication. NCIC, which is operated by the  
23 Federal Bureau of Investigation, maintains a database of  
24 electronically stored information located in Clarksburg, West  
25 Virginia.

26 10. The LAPD and BHPD computer systems are exclusively for  
27 the use of the LAPD and BHPD respectively and are used in  
28 interstate communication.

1 C. SBC'S CONFIDENTIAL AND PROPRIETARY INFORMATION

2 11. SBC's written Code of Business Conduct requires that  
3 employees maintain the privacy of customer records, including the  
4 number and type of customers' telephone lines and records of  
5 customers' telephone usage. SBC employees are prohibited from  
6 accessing, using or disclosing customer records, reports or  
7 proprietary information without a valid business reason.

8 12. In her capacity as a sales support manager for SBC,  
9 Teresa Wright was authorized to access SBC's computer system in  
10 the SBC offices and elsewhere to obtain confidential information  
11 on SBC's residential customers, including telephone toll records,  
12 telephone numbers, and home addresses, from computer systems and  
13 databases maintained exclusively for law enforcement uses,  
14 including the Billing and Order Support System ("BOSS"), the  
15 Premises Information System ("PREMIS"), and the Service Order  
16 Retrieval and Distribution System ("SORD"). Teresa Wright was  
17 authorized to access these computer systems and databases only  
18 for valid SBC business reasons.

19 13. In his capacity as a field technician for SBC,  
20 defendant TURNER had authorization to obtain confidential  
21 information on SBC's residential customers from other SBC  
22 employees with access to SBC computer systems and databases,  
23 including Teresa Wright. Defendant TURNER was authorized to  
24 obtain this confidential information only for valid SBC business  
25 reasons. Defendant TURNER's authorization to obtain any such  
26 confidential information for any purpose ended with his  
27 retirement from SBC on or about December 15, 2001.

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1           b.    Enriching the members and associates of the  
2 Enterprise through using the illegally obtained information to  
3 subvert and corrupt the judicial process.

4           c.    Enriching the members and associates of the  
5 Enterprise through using the illegally obtained information to  
6 strengthen and expand defendant PELLICANO's reputation and  
7 ongoing relationship with lucrative clients, including  
8 entertainment celebrities and executives, attorneys, and law  
9 firms.

10          d.    Promoting and enhancing the Enterprise and its  
11 members' and associates' activities.

12                   IV.    MANNER AND MEANS OF THE ENTERPRISE

13          16.   Defendants and their associates conducted and  
14 participated in the conduct of the management, operation, and  
15 affairs of the Enterprise in the manner and by the means  
16 described below.

17          17.   Defendant PELLICANO was the organizer and leader of the  
18 Enterprise and directed other members of the Enterprise in  
19 carrying out unlawful and other activities in furtherance of the  
20 conduct of the Enterprise's affairs. Defendant PELLICANO was  
21 responsible for securing clients who were willing and able to pay  
22 large sums for the purpose of obtaining personal information of a  
23 confidential, embarrassing, or incriminating nature regarding  
24 other individuals, including opponents or witnesses in criminal  
25 or civil litigation, who became the Enterprise's investigative  
26 targets.

27          18.   Defendant PELLICANO paid bribes to corrupt public  
28 officials, including defendant ARNESON, Craig Stevens, and others

1 known and unknown to the Grand Jury, and to corrupt telephone  
2 company employees, including defendant TURNER, Teresa Wright, and  
3 others known and unknown to the Grand Jury, for purposes of  
4 obtaining confidential and proprietary information regarding the  
5 Enterprise's investigative targets.

6 19. With respect to defendant ARNESON:

7 a. Defendant PELLICANO provided defendant ARNESON  
8 with names and/or other personal identifying information of  
9 individuals whom defendant PELLICANO was investigating and as to  
10 whom he wished to obtain confidential law enforcement  
11 information.

12 b. Defendant ARNESON accessed without authorization,  
13 and in excess of his authorized access, the LAPD computer system  
14 to obtain and provide criminal history and other law enforcement  
15 information for the use of defendant PELLICANO.

16 c. Defendant ARNESON solicited, and defendant  
17 PELLICANO provided to defendant ARNESON, payment for obtaining  
18 and providing criminal history and other law enforcement  
19 information. In particular, defendant PELLICANO made payments to  
20 defendant ARNESON by means of Pellicano Investigative Agency,  
21 Ltd. business checks in at least the following amounts in return  
22 for obtaining and providing criminal history and other law  
23 enforcement information:

<u>Year</u>	<u>Minimum Payment</u>
1997	\$8,875
1998	\$47,915
1999	\$38,325
2000	\$34,500



1           2001           \$32,250

2           2002           \$27,500

3 Defendant ARNESON solicited and received from defendant PELLICANO  
4 additional payments in cash in order to conceal these additional  
5 payments received from defendant PELLICANO.

6           d. Defendant ARNESON failed to obtain permission from  
7 LAPD to engage in employment for defendant PELLICANO.

8           20. With respect to Craig Stevens:

9           a. Defendant PELLICANO provided Stevens with names  
10 and/or other personal identifying information of individuals whom  
11 defendant PELLICANO was investigating and as to whom he wished to  
12 obtain confidential law enforcement information.

13           b. Stevens accessed without authorization, and in  
14 excess of his authorized access, the BHPD computer system to  
15 obtain and provide criminal history and other law enforcement  
16 information for the use of defendant PELLICANO.

17           c. Stevens solicited, and defendant PELLICANO  
18 provided to Stevens, payment for obtaining and providing criminal  
19 history and other law enforcement information.

20           d. Stevens failed to obtain permission from BHPD to  
21 engage in employment for defendant PELLICANO.

22           21. With respect to defendant TURNER and Teresa Wright:

23           a. Defendant PELLICANO provided defendant TURNER with  
24 names and/or other personal identifying information of  
25 individuals whom defendant PELLICANO was investigating and as to  
26 whom he wished to obtain confidential and proprietary telephone  
27 company information from SBC.

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1           b. Defendant TURNER would access without  
2 authorization, and in excess of his authorized access, and cause  
3 Wright to access without authorization, and in excess of both his  
4 and her authorized access, the SBC computer system in order,  
5 under the guise of performing legitimate work-related duties, to  
6 obtain confidential and proprietary telephone company information  
7 for the use of defendant PELLICANO.

8           c. Defendant TURNER solicited, and defendant  
9 PELLICANO provided to defendant TURNER, payment for obtaining and  
10 providing confidential and proprietary telephone company  
11 information. In particular, defendant PELLICANO made payments to  
12 defendant TURNER by means of Pellicano Investigative Agency, Ltd.  
13 business checks in at least the following amounts in return for  
14 obtaining and providing confidential and proprietary telephone  
15 company information:

<u>Year</u>	<u>Minimum Payment</u>
1997	\$10,100
1998	\$8,625
1999	\$8,975
2000	\$4,000
2001	\$3,080
2002	\$1,875

23 Defendant TURNER solicited and received from defendant PELLICANO  
24 additional payments in cash in order to conceal these additional  
25 payments received from defendant PELLICANO.

26           22. Defendant PELLICANO provided the criminal history and  
27 other law enforcement information received from defendant  
28 ARNESON, Craig Stevens, and other corrupt public officials, and

1 the confidential and proprietary telephone company information  
2 received from defendant TURNER and others, to the Enterprise's  
3 clients in return for payment.

4 23. In many instances, defendant PELLICANO used and sought  
5 to use this illegally obtained information to facilitate further  
6 criminal conduct to enrich the Enterprise, including threats,  
7 blackmail, and illegal wiretapping directed against the  
8 Enterprise's investigative targets. In particular, at defendant  
9 PELLICANO's direction, defendant TURNER and others known and  
10 unknown to the Grand Jury used their expertise and access to  
11 proprietary telephone company equipment to assist defendant  
12 PELLICANO in using the illegally obtained information to  
13 implement illegal wiretaps, which defendant PELLICANO  
14 accomplished through the use of computer software and hardware  
15 designed by Kevin Kachikian.

16 24. Defendant PELLICANO provided the information obtained  
17 by these and other legal and illegal means to the Enterprise's  
18 clients, both known and unknown to the Grand Jury, who would use  
19 the illegally obtained information provided by defendant  
20 PELLICANO for their own purposes, including preparation for and  
21 conduct of civil and criminal litigation.

22 25. In return, defendant PELLICANO would secure payments  
23 from these clients, which payments were used, in part, to promote  
24 and expand the Enterprise's criminal and other operations.

25 V. CONDUCT OF THE AFFAIRS OF THE ENTERPRISE THROUGH  
26 A PATTERN OF RACKETEERING ACTIVITY

27 26. Beginning on a date unknown to the Grand Jury and  
28 continuing until in or around December 2002, within the Central

1 District of California and elsewhere, defendants ANTHONY  
2 PELLICANO, MARK ARNESON, and RAYFORD EARL TURNER, together with  
3 others known and unknown to the Grand Jury, being persons  
4 employed by and associated with the Enterprise, which was engaged  
5 in, and the activities of which affected, interstate commerce,  
6 knowingly conducted and participated, directly and indirectly, in  
7 the conduct of the affairs of that enterprise through a pattern  
8 of racketeering activity as defined in Title 18, United States  
9 Code, Sections 1961(1) and 1961(5), that is, through the  
10 commission of Racketeering Acts One through Ninety-One as set  
11 forth in paragraphs 27 through 36 below.

12 Racketeering Acts One Through Sixty-Three

13 (Wire Fraud)

14 27. On or about each of the following dates, within the  
15 Central District of California, in violation of Title 18, United  
16 States Code, Sections 1343, 1346, and 2, defendants PELLICANO and  
17 ARNESON, aiding and abetting each other, having knowingly and  
18 with intent to defraud devised and participated in a scheme to  
19 defraud and deprive the LAPD and the citizens of the City of Los  
20 Angeles of their right to defendant ARNESON's honest services by  
21 using defendant ARNESON's authority and official position as an  
22 LAPD officer to enrich themselves by receiving payments in return  
23 for obtaining and providing criminal history and other law  
24 enforcement information, as described in paragraphs 19 and 22  
25 through 25 of this Indictment, for the purpose of executing and  
26 attempting to execute this scheme, transmitted and caused to be  
27 transmitted by means of wire communication in interstate commerce  
28 writings, signs, and signals, that is, computer transmissions

1 from Los Angeles, California searching NCIC in Clarksburg, West  
2 Virginia for criminal history and other law enforcement  
3 information on the following persons:

ACT	DATE	PERSON
1	January 11, 1999	Jane Doe #4 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907
2	January 11, 1999	Jane Doe #5 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907
3	January 20, 1999	Garry Shandling
4	January 20, 1999	Mariana Grant
5	January 25, 1999	Jane Doe #6 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907
6	January 25, 1999	Jane Doe #7 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907
7	February 9, 1999	Jane Doe #8 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907
8	February 10, 1999	James Nielsen
9	March 2, 1999	Darcy LaPier
10	March 4, 1999	Kevin Nealon
11	March 4, 1999	Linda Nealon
12	March 4, 1999	Linda Doucett
13	March 9, 1999	Gavin DeBecker
14	March 15, 1999	Bilal Baroody
15	May 4, 1999	Ali Amghar
16	May 4, 1999	Vanessa Etourneau
17	May 4, 1999	Lea Dabany
18	May 4, 1999	Felicia Fuller
19	May 4, 1999	Bonita Jones
20	May 11, 1999	Lilian Pinho

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ACT	DATE	PERSON
21	July 30, 1999	Monika Zsibrita
22	October 16, 1999	Christopher Pair
23	October 16, 1999	Suzanne Pair
24	October 16, 1999	Michael Rosen
25	October 21, 1999	Carol Rosen
26	May 15, 2000	Kissandra Cohen
27	May 15, 2000	Michael Cohen
28	August 2, 2000	Peter Kuhns
29	August 2, 2000	Erin Finn
30	November 22, 2000	Laura Buddine
31	January 3, 2001	Lisa Gores
32	January 3, 2001	Thomas Gores
33	February 6, 2001	Vincent Zenga
34	February 6, 2001	Jerome Zenga
35	February 13, 2001	Jessica Schutte
36	February 14, 2001	Stacy Codikow
37	February 14, 2001	Paul Durazzo
38	February 20, 2001	Zorianna Kit
39	March 13, 2001	Gregory Dovel
40	April 26, 2001	Keith Carradine
41	April 26, 2001	Hayley Dumond
42	August 24, 2001	Sandra Rodriguez
43	August 24, 2001	Ester Pina
44	August 24, 2001	Mirella Lavorin
45	August 24, 2001	Carrie Cagle
46	October 18, 2001	George Kalta
47	February 19, 2002	Kevin Templeton
48	March 15, 2002	Patrick Theohar
49	March 18, 2002	Laura Moreno

ACT	DATE	PERSON
50	March 18, 2002	Marcus Moreno
51	April 3, 2002	Pamela Miller
52	April 19, 2002	Michael Kolesa
53	May 9, 2002	Arthur Bernier
54	May 16, 2002	James Casey
55	May 16, 2002	Andrew Miller
56	May 16, 2002	Anita Busch
57	May 16, 2002	Bernard Weinraub
58	May 16, 2002	Richard Miller
59	May 16, 2002	Joyce Miller
60	September 4, 2002	Timea Zsibrita
61	October 29, 2002	Lucille Salter
62	October 29, 2002	David Salter
63	October 29, 2002	Cindy Salter

Racketeering Acts Sixty-Four Through Sixty-Five

(Wire Fraud)

28. On or about each of the following dates, within the Central District of California, in violation of Title 18, United States Code, Sections 1343, 1346, and 2, defendant PELLICANO and Craig Stevens, aiding and abetting each other, having knowingly and with intent to defraud devised and participated in a scheme to defraud and deprive the BHPD and the citizens of the City of Beverly Hills of their right to Stevens' honest services by using Stevens' authority and official position as a BHPD officer to enrich themselves by receiving payments in return for obtaining and providing criminal history and other law enforcement information, as described in paragraphs 20 and 22 through 25 of this Indictment, for the purpose of executing and attempting to

1 execute this scheme, transmitted and caused to be transmitted by  
2 means of wire communication in interstate commerce writings,  
3 signs, and signals, that is, computer transmissions from Beverly  
4 Hills, California searching NCIC in Clarksburg, West Virginia for  
5 criminal history and other law enforcement information on the  
6 following persons:

ACT	DATE	PERSON
64	November 9, 2001	Max Russo
65	December 18, 2001	Adam Sender

10 Racketeering Acts Sixty-Six Through Seventy-Eight  
11 (Identity Theft)

12 29. On or about each of the following dates, within the  
13 Central District of California and elsewhere, in violation of  
14 Title 18, United States Code, Section 1028(a)(7), defendants  
15 PELLICANO and ARNESON knowingly transferred, possessed, and used,  
16 and caused to be transferred, possessed, and used, without lawful  
17 authority, the following means of identification, with the intent  
18 to commit, and to aid and abet, and in connection with, an  
19 unlawful activity that constituted a violation of Federal law,  
20 namely, Title 18, United States Code, Section 1030(a)(4)  
21 (computer fraud), and a felony under applicable State law,  
22 namely, California Penal Code Section 502(c)(2) (unauthorized  
23 access to computer data):

ACT	DATE	MEANS OF IDENTIFICATION
66	January 20, 1999	Name of Warren Grant
67	January 21, 1999	Name of Jane Doe #3 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907



ACT	DATE	MEANS OF IDENTIFICATION
68	January 22, 1999	Name of Jane Doe #2 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907
69	February 9, 1999	Name of Julie Westby
70	February 22, 1999	Name of Jane Doe #1 in <u>People v. John Gordon Jones</u> , Los Angeles County Superior Court Case No. BA109907
71	May 28, 1999	Name of George Mueller
72	May 15, 2000	Name of Mandy Cohen
73	August 18, 2000	Name of Aaron Mestman
74	April 26, 2001	Name of Jude Green
75	August 10, 2001	Name of Bryan Lourd
76	August 10, 2001	Name of Kevin Huvane
77	March 18, 2002	Name of Loretta Moreno
78	March 21, 2002	Name of Steven Roman

Racketeering Acts Seventy-Nine Through Eighty-Five

(Identity Theft)

30. On or about each of the following dates, within the Central District of California and elsewhere, in violation of Title 18, United States Code, Section 1028(a)(7), defendant PELLICANO knowingly transferred, possessed, and used, and caused to be transferred, possessed, and used, without lawful authority, the following means of identification, with the intent to commit, and to aid and abet, and in connection with, an unlawful activity that constituted a violation of Federal law, namely, Title 18, United States Code, Section 1030(a)(4) (computer fraud), and a

1 felony under applicable State law, namely, California Penal Code  
2 Section 502(c) (2) (unauthorized access to computer data):

ACT	DATE	MEANS OF IDENTIFICATION
79	November 3, 1999	Name of Christopher Pair
80	November 3, 1999	Name of Suzanne Pair
81	February 1, 2000	Name of Ami Shafrir
82	April 4, 2001	Name of Aaron Russo
83	April 4, 2001	Name of Heidi Gregg
84	April 4, 2001	Name of Maxwell Russo
85	April 4, 2001	Name of Samuel Russo

11 Racketeering Acts Eighty-Six Through Ninety  
12 (Identity Theft)

13 31. On or about each of the following dates, within the  
14 Central District of California and elsewhere, in violation of  
15 Title 18, United States Code, Section 1028(a) (7), defendants  
16 PELLICANO and TURNER knowingly transferred, possessed, and used,  
17 and caused to be transferred, possessed, and used, without lawful  
18 authority, the following means of identification, with the intent  
19 to commit, and to aid and abet, and in connection with, an  
20 unlawful activity that constituted a violation of Federal law,  
21 namely, Title 18, United States Code, Section 1030(a) (4)  
22 (computer fraud), and a felony under applicable State law,  
23 namely, California Penal Code Section 502(c) (2) (unauthorized  
24 access to computer data):

ACT	DATE	MEANS OF IDENTIFICATION
86	August 2, 2000	Name and Telephone Number of Erin Finn

ACT	DATE	MEANS OF IDENTIFICATION
87	February 13, 2001	Name of and Telephone Number of Bo Zenga
88	April 2, 2001	Name and Telephone Number of Heidi Gregg
89	February 12, 2002	Name and Telephone Number of Johnny Friendly
90	May 16, 2002	Name and Telephone Number of Anita Busch

Racketeering Act Ninety-One

(Conspiracy to Commit Bribery)

32. Beginning on a date unknown to the Grand Jury and continuing until on or about November 21, 2002, in Los Angeles County, within the Central District of California, and elsewhere, in violation of California Penal Code § 182, defendants PELLICANO and ARNESON knowingly conspired and agreed with each other to:

a. knowingly give and offer bribes to an executive officer of the City of Los Angeles, with intent to influence that officer in respect to an act as such officer, to wit, the use of proprietary law enforcement databases to obtain criminal history and other law enforcement information for non-official use, in violation of California Penal Code § 67; and

b. knowingly ask, receive, and agree to receive a bribe to an executive officer of the City of Los Angeles, upon an agreement and understanding that the officer's action upon matters then pending and that might be brought before him in his official capacity, to wit, the use of proprietary law enforcement databases to obtain criminal history and other law enforcement

1 information for non-official use, would be influenced thereby, in  
2 violation of California Penal Code § 68.

3 33. The objects of the conspiracy were to be accomplished,  
4 in substance, as follows:

5 34. Defendant PELLICANO would and did pay bribes,  
6 consisting of a \$2500 monthly retainer and additional payments by  
7 check and in cash, to defendant ARNESON to induce defendant  
8 ARNESON to violate his LAPD oath of office and use his official  
9 position to obtain, and to provide to defendant PELLICANO,  
10 confidential law enforcement information.

11 35. Defendant ARNESON would and did receive the bribes from  
12 defendant PELLICANO and would and did agree to be influenced  
13 thereby in responding favorably to defendant PELLICANO's requests  
14 that defendant ARNESON violate his LAPD oath of office and use  
15 his official position to obtain, and to provide to defendant  
16 PELLICANO, confidential law enforcement information.

17 36. On or about each of the following dates, within the  
18 Central District of California and elsewhere, in furtherance of  
19 the conspiracy and to accomplish the objects of the conspiracy,  
20 defendants PELLICANO and ARNESON committed the following overt  
21 acts, among others, which consisted of the giving by PELLICANO  
22 and receiving by ARNESON of bribe payments in the following  
23 amounts:

OVERT ACT	DATE	AMOUNT
1	February 10, 1997	\$2500
2	May 5, 1997	\$2000
3	June 4, 1997	\$375

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OVERT ACT	DATE	AMOUNT
4	August 28, 1997	\$1500
5	November 25, 1997	\$2500
6	February 5, 1998	\$2500
7	February 26, 1998	\$2500
8	March 24, 1998	\$2500
9	April 17, 1998	\$2500
10	May 14, 1998	\$2500
11	June 18, 1998	\$4450
12	July 23, 1998	\$2500
13	August 14, 1998	\$4350
14	August 27, 1998	\$2500
15	September 15, 1998	\$6000
16	October 9, 1998	\$5440.82
17	November 3, 1998	\$2500
18	November 23, 1998	\$3300
19	December 17, 1998	\$2500
20	December 31, 1998	\$1875
21	March 18, 1999	\$2500
22	March 23, 1999	\$3050
23	April 21, 1999	\$2500
24	May 4, 1999	\$5175
25	May 12, 1999	\$1350
26	May 26, 1999	\$2500
27	June 29, 1999	\$2500
28	July 23, 1999	\$2500
29	August 2, 1999	\$1125
30	August 20, 1999	\$3850
31	September 21, 1999	\$2500
32	October 26, 1999	\$1275

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OVERT ACT	DATE	AMOUNT
33	November 16, 1999	\$2500
34	December 17, 1999	\$2500
35	January 25, 2000	\$2500
36	February 25, 2000	\$3060
37	March 24, 2000	\$2500
38	April 20, 2000	\$2500
39	May 18, 2000	\$2500
40	June 16, 2000	\$2500
41	July 20, 2000	\$2500
42	August 8, 2000	\$2500
43	September 15, 2000	\$2500
44	September 25, 2000	\$1440
45	October 23, 2000	\$2500
46	November 23, 2000	\$2500
47	December 13, 2000	\$5000
48	January 10, 2001	\$4750
49	February 22, 2001	\$2500
50	March 20, 2001	\$2500
51	April 20, 2001	\$2500
52	May 25, 2001	\$2500
53	June 17, 2001	\$2500
54	July 12, 2001	\$2500
55	August 9, 2001	\$2500
56	September 14, 2001	\$2500
57	October 16, 2001	\$2500
58	November 8, 2001	\$2500
59	December 13, 2001	\$2500
60	January 11, 2002	\$2500
61	February 8, 2002	\$2500

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OVERT ACT	DATE	AMOUNT
62	March 14, 2002	\$2500
63	April 9, 2002	\$2500
64	May 10, 2002	\$2500
65	June 13, 2002	\$2500
66	July 11, 2002	\$2500
67	August 12, 2002	\$2500
68	September 16, 2002	\$2500
69	October 10, 2002	\$2500
70	November 7, 2002	\$2500

COUNT TWO

[18 U.S.C. § 1962(d)]

[Racketeering Conspiracy]

[Defendants PELLICANO, ARNESON, and TURNER]

37. The Grand Jury hereby realleges Paragraphs 1 through 25 and 27 through 36 of this Indictment as though fully set forth herein.

38. Beginning on a date unknown to the Grand Jury and continuing until in and about December 2002, in the Central District of California and elsewhere, defendants ANTHONY PELLICANO, MARK ARNESON, and RAYFORD EARL TURNER, together with other individuals known and unknown to the Grand Jury, and the Pellicano Investigative Agency, Ltd., together with other legal entities known and unknown to the Grand Jury, knowingly and intentionally conspired to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Enterprise, as defined in paragraph 14 of this Indictment, through a pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), namely, the acts set forth in paragraphs 27 through 36 of this Indictment, with each defendant agreeing that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Enterprise.





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COUNT	DATE	PERSON
4	February 6, 2001	Jerome Zenga
5	February 13, 2001	Jessica Schutte
6	February 14, 2001	Stacy Codikow
7	February 14, 2001	Paul Durazzo
8	February 20, 2001	Zorianna Kit
9	March 13, 2001	Gregory Dovel
10	April 26, 2001	Keith Carradine
11	April 26, 2001	Hayley Dumond
12	August 24, 2001	Sandra Rodriguez
13	August 24, 2001	Ester Pina
14	August 24, 2001	Mirella Lavorin
15	August 24, 2001	Carrie Cagle
16	October 18, 2001	George Kalta
17	February 19, 2002	Kevin Templeton
18	March 15, 2002	Patrick Theohar
19	March 18, 2002	Laura Moreno
20	March 18, 2002	Marcus Moreno
21	April 3, 2002	Pamela Miller
22	April 19, 2002	Michael Kolesa
23	May 9, 2002	Arthur Bernier
24	May 16, 2002	James Casey
25	May 16, 2002	Andrew Miller
26	May 16, 2002	Anita Busch
27	May 16, 2002	Bernard Weinraub
28	May 16, 2002	Richard Miller
29	May 16, 2002	Joyce Miller
30	September 4, 2002	Timea Zsibrita
31	October 29, 2002	Lucille Salter
32	October 29, 2002	David Salter

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COUNT	DATE	PERSON
33	October 29, 2002	Cindy Salter

COUNTS THIRTY-FOUR THROUGH SIXTY-FOUR

[18 U.S.C. § 1030(a)(2)(B), (c)(2)(B)(i); 18 U.S.C. § 2]

[Unauthorized Computer Access of United States Agency  
Information]

[Defendants PELLICANO and ARNESON]

41. The Grand Jury hereby realleges Paragraphs 1-2, 6-7, 9-10, 19 and 22-25 of this Indictment as though fully set forth herein.

42. On or about each of the following dates, in Los Angeles County, within the Central District of California, and elsewhere, defendant MARK ARNESON, aided and abetted by defendant ANTHONY PELLICANO, intentionally accessed a computer without authorization and in excess of his authorized access and thereby obtained information from a department and agency of the United States for purposes of private financial gain, that is, defendant ARNESON, aided and abetted by defendant PELLICANO, accessed and caused to be accessed the LAPD computer system without authorization and in excess of his authorized access to obtain criminal history and other law enforcement information for the persons named below from the NCIC database maintained by the Federal Bureau of Investigation, an agency of the United States Government, for purposes of obtaining payment from defendant PELLICANO:

COUNT	DATE	PERSON
34	February 6, 2001	Vincent Zenga
35	February 6, 2001	Jerome Zenga
36	February 13, 2001	Jessica Schutte

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COUNT	DATE	PERSON
37	February 14, 2001	Stacy Codikow
38	February 14, 2001	Paul Durazzo
39	February 20, 2001	Zorianna Kit
40	March 13, 2001	Gregory Dovel
41	April 26, 2001	Keith Carradine
42	April 26, 2001	Hayley Dumond
43	August 24, 2001	Sandra Rodriguez
44	August 24, 2001	Ester Pina
45	August 24, 2001	Mirella Lavorin
46	August 24, 2001	Carrie Cagle
47	October 18, 2001	George Kalta
48	February 19, 2002	Kevin Templeton
49	March 15, 2002	Patrick Theohar
50	March 18, 2002	Laura Moreno
51	March 18, 2002	Marcus Moreno
52	April 3, 2002	Pamela Miller
53	April 19, 2002	Michael Kolesa
54	May 9, 2002	Arthur Bernier
55	May 16, 2002	James Casey
56	May 16, 2002	Andrew Miller
57	May 16, 2002	Anita Busch
58	May 16, 2002	Bernard Weinraub
59	May 16, 2002	Richard Miller
60	May 16, 2002	Joyce Miller
61	September 4, 2002	Timea Zsibrita
62	October 29, 2002	Lucille Salter
63	October 29, 2002	David Salter
64	October 29, 2002	Cindy Salter





1                                   COUNTS SEVENTY-FIVE THROUGH SEVENTY-SIX

2                                   [18 U.S.C. § 1343, 1346, 2]

3                                   [Honest Services Wire Fraud]

4                                   [Defendant PELLICANO]

5           47. The Grand Jury hereby realleges Paragraphs 1, 4, 8-10,  
6 20, and 22-25 of this Indictment as though fully set forth  
7 herein.

8           48. On or about each of the following dates, within the  
9 Central District of California, defendant ANTHONY PELLICANO and  
10 Craig Stevens, and others known and unknown to the Grand Jury,  
11 aiding and abetting each other, having knowingly and with intent  
12 to defraud devised and participated in a scheme to defraud and  
13 deprive the BHPD and the citizens of the City of Beverly Hills of  
14 their right to Stevens' honest services by using Stevens'  
15 authority and official position as a BHPD officer to enrich  
16 themselves by receiving payments in return for obtaining and  
17 providing criminal history and other law enforcement information,  
18 as described in paragraphs 20 and 22-25 of this Indictment, for  
19 the purpose of executing and attempting to execute this scheme,  
20 transmitted and caused to be transmitted by means of wire  
21 communication in interstate commerce writings, signs, and  
22 signals, that is, computer transmissions from Los Angeles,  
23 California searching NCIC in Clarksburg, West Virginia



1 for criminal history and other law enforcement information on the  
2 following persons:

COUNT	DATE	PERSON
75	November 9, 2001	Max Russo
76	December 18, 2001	Adam Sender

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1                                   COUNTS EIGHTY-THREE THROUGH EIGHTY-SIX

2                                   [18 U.S.C. §§ 1030(a)(4), 2]

3                                   [Computer Fraud]

4                                   [Defendant PELLICANO]

5           53. The Grand Jury hereby realleges Paragraphs 1, 4, 8-10,  
6 20, and 22-25 of this Indictment as though fully set forth  
7 herein.

8           54. On or about each of the following dates, in Los Angeles  
9 County, within the Central District of California and elsewhere,  
10 defendant ANTHONY PELLICANO aided and abetted Craig Stevens to  
11 knowingly and with intent to defraud access without authorization  
12 and in excess of his authorized access a protected computer,  
13 namely, a computer in the BHPD computer system, and by means of  
14 accessing the protected computer further the intended fraud and  
15 obtain something of value, namely, DMV information for the  
16 following persons:

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COUNT	DATE	MEANS OF IDENTIFICATION
18 83	April 4, 2001	Name of Aaron Russo
19 84	April 4, 2001	Name of Heidi Gregg
20 85	April 4, 2001	Name of Maxwell Russo
21 86	April 4, 2001	Name of Samuel Russo

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COUNTS NINETY-ONE THROUGH NINETY-FOUR

[18 U.S.C. §§ 1030(a)(4), 2]

[Computer Fraud]

[Defendants PELLICANO and TURNER]

57. The Grand Jury hereby realleges Paragraphs 1, 3, 5, 11-13, and 21-25 of this Indictment as though fully set forth herein.

58. On or about each of the following dates, in Los Angeles County, within the Central District of California, and elsewhere, defendants ANTHONY PELLICANO and RAYFORD EARL TURNER aided and abetted Teresa Wright to knowingly and with intent to defraud access without authorization and in excess of her authorized access a protected computer, namely, a Dell Latitude notebook computer, model number CP1A366XT, serial number VK70N, located at SBC, 1010 Wilshire Boulevard, Room 800, Los Angeles, California 90017, and by means of accessing the protected computer further the intended fraud and obtain something of value, namely, telephone subscriber information for the following SBC customers:

COUNT	DATE	SBC CUSTOMER
91	February 13, 2001	Bo Zenga
92	April 2, 2001	Heidi Gregg
93	February 12, 2002	Johnny Friendly
94	May 16, 2002	Anita Busch



1           62. Defendant PELLICANO would and did permit himself to be  
2 retained by individuals and entities known and unknown to the  
3 Grand Jury ("the clients") for the purpose of implementing  
4 illegal wiretaps of individuals, including the clients'  
5 litigative opponents.

6           63. At defendant PELLICANO's direction, defendant TURNER, a  
7 field technician for telephone company SBC (formerly Pacific  
8 Bell), would and did access, and cause others known and unknown  
9 to the Grand Jury to access, proprietary telephone company  
10 databases and equipment to implement the illegal wiretaps.

11           64. Defendant PELLICANO would and did furnish the computer  
12 hardware and software used to implement the illegal wiretaps,  
13 including the hardware and software designed by defendant  
14 KACHIKIAN, review the contents of intercepted conversations, and  
15 provide the contents of those conversations to the clients.

16           65. Defendant PELLICANO and the clients would and did use  
17 the information for their own purposes, including securing a  
18 tactical advantage in litigation by learning their opponents'  
19 plans, strategies, perceived strengths and weaknesses, settlement  
20 positions, and other confidential information.

21 C.   OVERT ACTS

22           66. On or about each of the following dates, within the  
23 Central District of California and elsewhere, in furtherance of  
24 the conspiracy and to accomplish the objects of the conspiracy,  
25 defendants PELLICANO, TURNER, and KACHIKIAN, and others known and  
26 unknown to the Grand Jury, committed the following overt acts,  
27 among others:

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1           67. Beginning in or around 1995, defendant KACHIKIAN began  
2 developing for defendant PELLICANO "Telesleuth," a computer  
3 software program to be used for the purpose of intercepting  
4 telephonic communications.

5           68. On or about March 11, 1996, defendant PELLICANO  
6 requisitioned engineering services necessary for the completion  
7 of hardware to be used in connection with the "Telesleuth"  
8 wiretapping program.

9           69. From in or around January 1997 to in or around May  
10 2002, defendant PELLICANO paid defendant TURNER at least \$36,655  
11 for the purpose of obtaining proprietary telephone company  
12 information and facilitating illegal wiretaps.

13           70. In or around May 1997, defendants PELLICANO and TURNER  
14 used the "Telesleuth" program to intercept telephone  
15 communications of Robert Maguire.

16           71. Between in or around September 1997 and in or around  
17 March 1998, defendant PELLICANO used the "Telesleuth" program to  
18 intercept telephone communications of Mark Hughes.

19           72. In or around January 1998, defendant PELLICANO used the  
20 "Telesleuth" program to intercept telephone communications of  
21 James Orr.

22           73. In or around October 1999, defendant PELLICANO used the  
23 "Telesleuth" program to intercept telephone communications of  
24 Michael Rosen.

25           74. On or about July 19, 2000, defendants PELLICANO and  
26 KACHIKIAN requisitioned Amuneal Manufacturing Corp. to create new  
27 metal housings for the circuit boards used in connection with the  
28 "Telesleuth" wiretapping program.

1           75. In or around July 2000, defendant PELLICANO used the  
2 "Telesleuth" program to intercept telephone communications of  
3 Kissandra Cohen.

4           76. On or about August 2, 2000, defendant TURNER caused an  
5 inquiry to be made of a proprietary SBC computer database to  
6 obtain telephone information regarding Erin Finn.

7           77. Between on or about August 2, 2000, and on or about  
8 November 6, 2000, defendant PELLICANO used the "Telesleuth"  
9 program to intercept telephone communications of Erin Finn.

10          78. Between in or around August 2000 and in or around  
11 December 2000, defendant PELLICANO used the "Telesleuth" program  
12 to intercept telephone communications of Ami Shafrir.

13          79. In or around January 2001, defendant PELLICANO used the  
14 "Telesleuth" program to intercept telephone communications of  
15 Lisa Gores.

16          80. Between in or around January 2001 and in or around June  
17 2001, defendant PELLICANO used the "Telesleuth" program to  
18 intercept telephone communications of Laura Buddine.

19          81. On or about February 13, 2001, defendant TURNER caused  
20 an inquiry to be made of a proprietary SBC computer database to  
21 obtain telephone information regarding Vincent Bo Zenga.

22          82. Between in or around February 2001, and in or around  
23 April 2001, defendant PELLICANO used the "Telesleuth" program to  
24 intercept telephone communications of Vincent Bo Zenga.

25          83. On or about April 2, 2001, defendant TURNER caused an  
26 inquiry to be made of a proprietary SBC computer database to  
27 obtain telephone information regarding Aaron Russo.

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1           84. In or around April 2001, defendant PELLICANO used the  
2 "Telesleuth" program to intercept telephone communications of  
3 Aaron Russo.

4           85. In or around May 2001, defendant PELLICANO used the  
5 "Telesleuth" program to intercept telephone communications of  
6 Keith Carradine.

7           86. On or about October 17, 2001, unindicted coconspirator  
8 George Kalta paid defendant PELLICANO \$25,000 to intercept  
9 telephone communications of Laura Moreno.

10           87. Between on or about February 8, 2002, and on or about  
11 April 30, 2002, defendant KACHIKIAN charged defendant PELLICANO  
12 more than \$13,425 for continued work on the "Telesleuth" hardware  
13 and software.

14           88. On or about February 12, 2002, defendant TURNER caused  
15 an inquiry to be made of a proprietary SBC computer database to  
16 obtain telephone information regarding "Johnny Friendly."

17           89. In or around February 2002, defendant PELLICANO used  
18 the "Telesleuth" program to intercept telephone communications of  
19 Sylvester Stallone.

20           90. On or about May 16, 2002, defendant TURNER caused an  
21 inquiry to be made of a proprietary SBC computer database to  
22 obtain telephone information regarding Anita Busch.

23           91. Beginning on a date unknown to the Grand Jury, and  
24 continuing to on or about November 5, 2002, defendant PELLICANO  
25 used the "Telesleuth" program to intercept telephone  
26 communications of Anita Busch.

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COUNT NINETY-SIX

[18 U.S.C. §§ 2511(1)(a), 2]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, KACHIKIAN, and PFEIFER]

92. Beginning on or about August 2, 2000, and continuing until at least on or about November 6, 2000, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN, aided and abetted by defendant ROBERT PFEIFER, intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Erin Finn.

COUNT NINETY-SEVEN

[18 U.S.C. §§ 2511(1)(a), 2]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, KACHIKIAN, ABNER NICHERIE, and  
DANIEL NICHERIE]

93. Beginning in or around August 2000 and continuing until  
in or around December 2000, in Los Angeles County, within the  
Central District of California, defendants ANTHONY PELLICANO,  
RAYFORD EARL TURNER, and KEVIN KACHIKIAN, aided and abetted by  
defendants ABNER NICHERIE and DANIEL NICHERIE, intentionally  
intercepted, endeavored to intercept, and procured another person  
to intercept and endeavor to intercept, wire communications of  
Ami Shafrir.

COUNT NINETY-EIGHT

[18 U.S.C. § 2511(1)(a)]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, and KACHIKIAN]

94. On or about January 8, 2001, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Lisa Gores.

COUNT NINETY-NINE

[18 U.S.C. § 2511(1)(a)]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, and KACHIKIAN]

95. Between in or around January 2001 and in or around June 2001, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Laura Buddine.

COUNT ONE HUNDRED

[18 U.S.C. § 2511(1)(a)]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, and KACHIKIAN]

96. Between in or around February 2001 and in or around April 2001, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Vincent Bo Zenga.



COUNT ONE HUNDRED AND ONE

[18 U.S.C. § 2511(1)(a)]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, and KACHIKIAN]

97. In or around April 2001, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Aaron Russo.

COUNT ONE HUNDRED AND TWO

[18 U.S.C. § 2511(1)(a)]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, and KACHIKIAN]

98. In or around May 2001, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Keith Carradine.

COUNT ONE HUNDRED AND THREE

[18 U.S.C. § 2511(1)(a)]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, and KACHIKIAN]

99. In or around February 2002, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Sylvester Stallone.

COUNT ONE HUNDRED AND FOUR

[18 U.S.C. § 2511(1)(a)]

[Interception of Wire Communications]

[Defendants PELLICANO, TURNER, and KACHIKIAN]

100. Beginning on a date unknown to the Grand Jury, and continuing to on or about November 5, 2002, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO, RAYFORD EARL TURNER, and KEVIN KACHIKIAN intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Anita Busch.

COUNT ONE HUNDRED AND FIVE

[18 U.S.C. §§ 2512(1)(b), 2]

[Possession of Wiretapping Device]

[Defendants PELLICANO and KACHIKIAN]

101. From in or around July 2000 to on or about November 21, 2002, in Los Angeles County, within the Central District of California, defendants ANTHONY PELLICANO and KEVIN KACHIKIAN intentionally manufactured, assembled, and possessed, and caused to be manufactured, assembled, and possessed, an electronic, mechanical, and other device, knowing and having reason to know that the design of such device rendered it primarily useful for the purpose of the surreptitious interception of wire communications, and that such device and any component thereof had been sent through the mail and transported in interstate and foreign commerce.



1           105. Defendant PELLICANO would listen to Lisa Bonder  
2 Kerkorian's intercepted telephone conversations, and would  
3 provide the contents of those conversations, including summaries  
4 of privileged attorney-client communications between Lisa Bonder  
5 Kerkorian and her attorneys, to defendant CHRISTENSEN and others  
6 known and unknown to the Grand Jury.

7           106. Defendant CHRISTENSEN, and others known and unknown to  
8 the Grand Jury, would use the information gleaned from the  
9 illegal wiretap to secure a tactical advantage in litigation by  
10 learning Lisa Bonder Kerkorian's plans, strategies, perceived  
11 strengths and weaknesses, settlement position, and other  
12 confidential information.

13           107. Defendant PELLICANO would discuss with defendant  
14 CHRISTENSEN how long the illegal wiretap should remain in place  
15 and when the illegal wiretap should be brought to an end.

16           108. Defendant CHRISTENSEN would pay defendant PELLICANO at  
17 least \$100,000 for defendant PELLICANO's services in connection  
18 with the illegal wiretap.

19 C.   OVERT ACTS

20           109. On or about each of the following dates, within the  
21 Central District of California and elsewhere, in furtherance of  
22 the conspiracy and to accomplish the objects of the conspiracy,  
23 defendants PELLICANO and CHRISTENSEN, and others known and  
24 unknown to the Grand Jury, committed the following overt acts,  
25 among others:

26           110. On or about March 15, 2002, defendant PELLICANO  
27 received a telephone call from an attorney who instructed  
28 defendant PELLICANO to contact defendant CHRISTENSEN regarding

1 "going after" Lisa Bonder Kerkorian's attorney, who had referred  
2 defendant CHRISTENSEN to the State Bar of California.

3 111. On or about March 25, 2002, defendant CHRISTENSEN paid  
4 \$25,000 to defendant PELLICANO for the purpose of implementing an  
5 illegal wiretap to intercept the telephone calls of Lisa Bonder  
6 Kerkorian, including calls between her and her attorneys.

7 112. In or around April and May 2002, defendant PELLICANO  
8 used the "Telesleuth" program to intercept telephone  
9 communications of Lisa Bonder Kerkorian.

10 113. On or about April 18, 2002, defendant PELLICANO related  
11 to defendant CHRISTENSEN, in order to "help" defendant  
12 CHRISTENSEN with a hearing that day, the contents of intercepted  
13 telephone calls between Lisa Bonder Kerkorian and her attorneys  
14 in which they discussed their reactions to a prior court ruling,  
15 their litigation strategies, and their settlement position.

16 114. On or about April 22, 2002, defendant PELLICANO related  
17 to defendant CHRISTENSEN the contents of intercepted telephone  
18 calls between Lisa Bonder Kerkorian and her attorneys and warned  
19 defendant CHRISTENSEN to "be very careful about this because  
20 there is only one way for me to know this."

21 115. On or about April 22, 2002, defendant PELLICANO told  
22 defendant CHRISTENSEN that Lisa Bonder Kerkorian's child "gets on  
23 the phone maybe five or six times a week and just cries into the  
24 phone."

25 116. On or about April 26, 2002, defendant CHRISTENSEN asked  
26 defendant PELLICANO what he had heard and noted that defendant  
27 PELLICANO had been waiting to find out what "to listen about."  
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1           117. On or about April 26, 2002, defendant PELLICANO related  
2 to defendant CHRISTENSEN the contents of intercepted telephone  
3 calls between Lisa Bonder Kerkorian and her attorneys in which  
4 they discussed their settlement position.

5           118. On or about April 27, 2002, defendant CHRISTENSEN asked  
6 defendant PELLICANO what Lisa Bonder Kerkorian was discussing  
7 with her attorneys.

8           119. On or about April 27, 2002, defendant PELLICANO related  
9 to defendant CHRISTENSEN the contents of intercepted telephone  
10 calls between Lisa Bonder Kerkorian and her attorneys in which  
11 they discussed their settlement position, including quoting to  
12 defendant CHRISTENSEN Lisa Bonder Kerkorian's "exact words."

13           120. On or about April 27, 2002, defendant PELLICANO related  
14 to defendant CHRISTENSEN the contents of an intercepted call  
15 between Lisa Bonder Kerkorian and her father, and reminded  
16 defendant CHRISTENSEN that "there is no way, except with my  
17 unique techniques, that you would know this."

18           121. On or about April 28, 2002, defendant PELLICANO related  
19 to defendant CHRISTENSEN the contents of intercepted telephone  
20 calls between Lisa Bonder Kerkorian and her attorneys in which  
21 Lisa Bonder Kerkorian discussed the identity of her child's  
22 biological father.

23           122. On or about April 28, 2002, defendant PELLICANO told  
24 defendant CHRISTENSEN that he was "hearing both sides, you know,  
25 I'm hearing her talk to Kirk [Kerkorian] too. That's not for  
26 attribution, I mean for distribution, but I'm hearing both of  
27 them, I'm hearing all of it, the whole nine yards."

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1           123. On or about April 29, 2002, defendant PELLICANO related  
2 to defendant CHRISTENSEN the contents of intercepted telephone  
3 calls between Lisa Bonder Kerkorian and mediator Debra Simon, who  
4 was attempting to resolve the litigation between Lisa Bonder  
5 Kerkorian and defendant CHRISTENSEN's client.

6           124. On or about April 29, 2002, defendant CHRISTENSEN  
7 discussed with defendant PELLICANO the words that Lisa Bonder  
8 Kerkorian had used in a conversation with her attorney.

9           125. On or about April 29, 2002, defendant PELLICANO assured  
10 defendant CHRISTENSEN that "I know everything that's going on,  
11 and obviously they don't know I know. Nobody knows except you  
12 and me."

13           126. On or about May 3, 2002, defendant PELLICANO related to  
14 defendant CHRISTENSEN the contents of intercepted telephone calls  
15 between Lisa Bonder Kerkorian and her attorneys in which they  
16 discussed their reactions to a previous court hearing.

17           127. On or about May 3, 2002, defendant PELLICANO told  
18 defendant CHRISTENSEN that he had another 364 intercepted  
19 telephone conversations that he had to listen to.

20           128. On or about May 3, 2002, defendant PELLICANO told  
21 defendant CHRISTENSEN about a conversation between Lisa Bonder  
22 Kerkorian and her attorney that was "worth its weight in gold."

23           129. On or about May 8, 2002, defendant PELLICANO related to  
24 defendant CHRISTENSEN the contents of intercepted telephone calls  
25 between Lisa Bonder Kerkorian and her attorneys in which they  
26 discussed their settlement expectations.

27           130. On or about May 8, 2002, defendant CHRISTENSEN told  
28 defendant PELLICANO that he liked what he had learned from

1 defendant PELLICANO and that he was thinking about sending "a  
2 little more expense money" to cover the cost of the wiretap.

3 131. On or about May 9, 2002, defendant PELLICANO related to  
4 defendant CHRISTENSEN the contents of intercepted telephone calls  
5 between Lisa Bonder Kerkorian and mediator Debra Simon.

6 132. On or about May 10, 2002, defendant PELLICANO related  
7 to defendant CHRISTENSEN the contents of intercepted telephone  
8 calls between Lisa Bonder Kerkorian and her attorneys in which  
9 they discussed the tax returns of defendant CHRISTENSEN's client.

10 133. On or about May 10, 2002, defendant PELLICANO told  
11 defendant CHRISTENSEN about the "elation" that Lisa Bonder  
12 Kerkorian felt after a telephone call with Debra Simon, and  
13 defendant CHRISTENSEN said that he would pass the information on  
14 to his client.

15 134. On or about May 14, 2002, defendant CHRISTENSEN told  
16 defendant PELLICANO that it would be "interesting" to know what  
17 Lisa Bonder Kerkorian's lawyers would tell her about the court  
18 proceedings that day, ordered Pellicano to listen to that day's  
19 intercepted conversations, and said that they would decide the  
20 next day whether to continue with the wiretap.

21 135. On or about May 14, 2002, defendant CHRISTENSEN paid  
22 \$75,000 to defendant PELLICANO as additional payment for services  
23 in connection with the illegal wiretap.

24 136. On or about May 15, 2002, defendant CHRISTENSEN  
25 instructed defendant PELLICANO to "wrap up" the illegal wiretap  
26 of Lisa Bonder Kerkorian, and defendant PELLICANO told defendant  
27 CHRISTENSEN that it would be "too difficult" and "too dangerous"  
28 to reinitiate the wiretap once it was disconnected.

1           137. On or about May 16, 2002, defendant CHRISTENSEN told  
2 defendant PELLICANO that he had been "great," and defendant  
3 PELLICANO confirmed that "the switch gets shut."  
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COUNT ONE HUNDRED AND SEVEN

[18 U.S.C. §§ 2511(1)(a), 2]

[Interception of Wire Communications]

[Defendants PELLICANO and CHRISTENSEN]

138. In or around April and May 2002, in Los Angeles County, within the Central District of California, defendant ANTHONY PELLICANO, aided and abetted by defendant TERRY CHRISTENSEN, intentionally intercepted, endeavored to intercept, and procured another person to intercept and endeavor to intercept, wire communications of Lisa Bonder Kerkorian.

COUNT ONE HUNDRED AND EIGHT

[18 U.S.C. § 1001(a)(2)]

[False Statements]

[Defendant ARNESON]

139. On or about July 9, 2003, in Los Angeles County, within the Central District of California, in a matter within the jurisdiction of the United States Department of Justice, Federal Bureau of Investigation ("FBI"), an agency of the executive branch of the Government of the United States, defendant MARK ARNESON knowingly and willfully made a materially false, fictitious, and fraudulent statement, in that, during an interview conducted by the FBI, defendant ARNESON claimed that he had conducted inquiries of law enforcement databases on the name "Anita Busch" based on his belief that Anita Busch was involved in gambling or other organized crime activities, when in fact, as defendant ARNESON well knew, he had conducted those inquiries at the behest of Anthony Pellicano and for no legitimate law enforcement interest.

COUNT ONE HUNDRED AND NINE

[18 U.S.C. § 1001(a)(2)]

[False Statements]

[Defendant TURNER]

140. On or about January 28, 2003, in Los Angeles County, within the Central District of California, in a matter within the jurisdiction of the United States Department of Justice, Federal Bureau of Investigation ("FBI"), an agency of the executive branch of the Government of the United States, defendant RAYFORD EARL TURNER knowingly and willfully made a materially false, fictitious, and fraudulent statement, in that, during an interview conducted by the FBI, defendant TURNER claimed that he had never assisted Anthony Pellicano in wiretapping telephones or making proprietary telephone company information available to Pellicano, when in fact, as defendant TURNER well knew, he had regularly assisted Pellicano in wiretapping telephones and in making proprietary telephone company information available to Pellicano.

COUNT ONE HUNDRED AND TEN

[18 U.S.C. § 1512(b)(3)]

[Witness Tampering]

[Defendant PFEIFFER]

141. On or about June 23, 2003, in Los Angeles County, within the Central District of California, defendant ROBERT PFEIFFER knowingly used intimidation, threatened, and corruptly persuaded witness Erin Finn, and attempted to do so, and engaged in misleading conduct toward that witness, with intent to hinder, delay, and prevent the communication to a law enforcement officer of information relating to the commission and possible commission of a Federal offense.



COUNT ONE HUNDRED AND ELEVEN

[18 U.S.C. § 1512(c)(1)]

[Destruction of Evidence]

[Defendant KACHIKIAN]

142. In or around December 2002, in Los Angeles County, within the Central District of California, defendant KEVIN KACHIKIAN corruptly altered, destroyed, mutilated, and concealed a record, document, and other object, namely, computer files, hardware, and software relating to the "Telesleuth" computer program, and attempted to do so, with the intent to impair the object's integrity and availability for use in an official proceeding.



1 Title 18, United States Code, Section 1963(a)(1) and (3), include  
2 but are not limited to at least \$1,919,250.

3 146. If any of the property described in the immediately  
4 preceding paragraph, as a result of any act or omission of a  
5 defendant --

- 6 a. cannot be located upon the exercise of due  
7 diligence;
- 8 b. has been transferred or sold to, or deposited  
9 with, a third party;
- 10 c. has been placed beyond the jurisdiction of the  
11 court;
- 12 d. has been substantially diminished in value; or
- 13 e. has been commingled with other property which  
14 cannot be divided without difficulty,

15 the court shall order the forfeiture of any other property of the  
16 defendants up to the value of any property set forth in paragraph  
17 145 above.

18 147. The above-named defendants, and each of them, are  
19 jointly and severally liable for the forfeiture obligations as  
20 alleged above.

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1 148. All pursuant to Title 18, United States Code, Section  
2 1963.

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A TRUE ..,mnbvcBILL

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Foreperson

GEORGE S. CARDONA  
Acting United States Attorney

THOMAS P. O'BRIEN  
Assistant United States Attorney  
Chief, Criminal Division

DANIEL A. SAUNDERS  
KEVIN M. LALLY  
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